

Senate Bill No. 1749

Passed the Senate August 22, 2002

Secretary of the Senate

Passed the Assembly August 15, 2002

Chief Clerk of the Assembly

This bill was received by the Governor this _____ day of
_____, 2002, at _____ o'clock __M.

Private Secretary of the Governor

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CHAPTER _____

An act to amend Section 18712 of the Business and Professions Code, relating to boxing and martial arts.

LEGISLATIVE COUNSEL'S DIGEST

SB 1749, Polanco. Boxing and martial arts.

Existing law, the Boxing Act, provides for the licensure of boxers and martial arts fighters by the State Athletic Commission and makes a violation of its provisions a misdemeanor. The act requires that applicants for licensure and for licensure renewal as a professional boxer or as a professional martial arts fighter submit documentation of negative test results for the human immunodeficiency virus and hepatitis B virus.

This bill would additionally include within this requirement testing for hepatitis C virus and would require professional boxers and martial arts fighters to submit to the commission negative results for all of the required tests prior to competing in a match that occurs 180 days or more after the date of the tests submitted by the boxer or fighter for issuance or renewal of his or her license.

Because the bill would specify an additional requirement under the Boxing Act, a violation of which would be punishable as a misdemeanor, it would impose a state-mandated local program.

The California Constitution requires the state to reimburse local agencies and school districts for certain costs mandated by the state. Statutory provisions establish procedures for making that reimbursement.

This bill would provide that no reimbursement is required by this act for a specified reason.

The people of the State of California do enact as follows:

SECTION 1. Section 18712 of the Business and Professions Code is amended to read:

18712. (a) Notwithstanding any other provision of law, any person applying for a license or the renewal of a license as a professional boxer or as a professional martial arts fighter shall present documentary evidence satisfactory to the commission that the applicant has been administered a test, by a laboratory in the



United States that possesses a certificate under the Clinical Laboratory Improvement Act (42 U.S.C. Sec. 263a), to detect the presence of antibodies both to the human immunodeficiency virus (HIV) and to hepatitis C virus (HCV) and to detect the presence of the antigen of hepatitis B virus (HBV) within 30 days prior to the date of the application and that the results of all three tests are negative. A negative report for all three tests shall also be required of a professional boxer or professional martial arts fighter prior to competing in a match that will occur 180 days or more after the date of the tests submitted for the issuance or renewal of his or her license.

(b) Information received under this section and any other medical information about an applicant or licensee shall be confidential and not subject to discovery or subpoena. If the commission denies a license or the renewal of a license or suspends or revokes a license because of a licensee's HIV or HCV antibody status or HBV antigen status, it shall state only that the action was taken for medical reasons. An applicant or licensee may appeal the commission's denial, suspension, or revocation of a license under this section. The commission shall notify each person in writing of his or her right to a closed hearing for that appeal. An applicant or licensee must make a request for a hearing to the commission within 30 days of receiving notification from the commission of the applicant's or licensee's right to a hearing.

SEC. 2. No reimbursement is required by this act pursuant to Section 6 of Article XIII B of the California Constitution because the only costs that may be incurred by a local agency or school district will be incurred because this act creates a new crime or infraction, eliminates a crime or infraction, or changes the penalty for a crime or infraction, within the meaning of Section 17556 of the Government Code, or changes the definition of a crime within the meaning of Section 6 of Article XIII B of the California Constitution.



Approved _____, 2002

Governor

